

Public Entity Law

Pashman Stein Walder Hayden attorneys have extensive experience representing public entities at various levels of government, including municipalities, counties, housing authorities, improvement authorities, boards of education, prosecutors' offices, State authorities, and the State itself. Our attorneys have specific expertise in the Tort Claims Act and defending public entities and employees against various civil rights claims, from trial through appeal.

Pashman Stein Walder Hayden provides practical, cost-effective legal advice to New Jersey municipal and county governmental entities. Our attorneys serve as general counsel to municipalities throughout New Jersey and as special counsel to counties and municipalities on matters requiring expertise such as affordable housing, redevelopment projects, land use, contract negotiations, environmental law, election law, tax abatements, municipal investment, civil rights defense and appellate litigation. We also serve as general counsel to land use boards.

We understand that municipal officials often must make difficult decisions quickly and in response to public demands, and we take pride in providing advice in a timely and professional manner.

We have extensive experience with the statutes and regulations applicable to local governments and can provide expert direction in each area, including:

- Fair Housing Act
- Local Public Contracts Law
- Local Redevelopment and Housing Law
- Municipal Land Use Law
- Open Public Meetings Act
- Open Public Records Act

Our multidisciplinary approach to municipal law allows us to represent government entities and their employees in a wide range of municipal litigation including prerogative writ matters challenging both municipal and land board approvals, and claims arising under the Tort Claims Act and Section 1983.

Representative Matters

Our firm is proud of the results it has achieved for clients, some of which are noted here. Of course, each legal matter is unique on many levels, and past successes are not a guarantee of results in any other pending or future matters.

- Serve as borough attorney, special counsel, and affordable housing counsel to numerous municipalities throughout New Jersey.

- Obtained defense jury verdict on behalf of Department of Corrections officer in civil rights matter involving excessive force and failure to intervene claims.
- Successfully obtained summary judgment on behalf of municipality where employee's estate sued under the wrongful death exception to the Workers Compensation Act following fatal accident. The trial court's decision was affirmed on appeal.
- Successfully obtained summary judgment on behalf of public authority in fatal motor vehicle accident, based on Tort Claims Act immunities.
- Successfully obtained summary judgment on behalf of City and its police officers in civil rights action involving false arrest and malicious prosecution claims.
- Successfully defended a lawsuit challenging a county improvement authority's award of a waste disposal contract valued at approximately \$150 million. The plaintiff, an unsuccessful bidder, challenged the improvement authority's application of the financial responsibility requirements of the bid specifications. Following a bench trial, the court rejected the plaintiff's challenge to the contract award.
- Obtained summary judgment on behalf of a State agency and several of its employees in a lawsuit brought on behalf of a former employee. The plaintiff had asserted claims of retaliation, wrongful death and civil rights violations, under various provisions of federal and state law. The Third Circuit affirmed the dismissal of the plaintiff's claims on appeal.
- Successfully tried a lengthy jury trial in the United States District Court involving a claim of excessive force resulting in the death of an inmate in custody.
- Represents the Monmouth County Prosecutor in employment discrimination litigation.
- Successfully prosecuted Mt. Laurel declaratory judgment actions on behalf of municipal clients resulting in Final Judgments of Compliance and Repose protecting clients from builder's remedy litigation through July 2025.
- Obtained an Appellate reversal of an adverse ruling on behalf of a public Business Improvement District involving litigation over utility improvements in the right of way. The Appellate Court determined that the extensive improvements required the prior approval of the municipality.
- Won a jury trial verdict in favor of public housing authority in an \$8 million claim by a contractor in a construction litigation matter.
- Represented New Jersey Turnpike in construction litigation involving the expansion of the Driscoll Bridge arising out of errors in original steel design and resultant increased costs to the Turnpike. Favorably resolved against contractor and project insurer resulting in several million dollars being paid to the Turnpike.

Our Clients

Below is a listing of New Jersey counties, municipalities, boards of education and local authorities which Pashman Stein Walder Hayden has represented in the past five years:

- New Jersey Schools Insurance Group
- State of New Jersey
- New Jersey Turnpike Authority
- New Jersey Transit
- Township of Pemberton
- Borough of Spring Lake
- Township of Holmdel
- Township of Manalapan
- Township of Upper Freehold
- Borough of Tinton Falls
- Township of Montville
- Township of West Orange
- Bergen Arts and Science Charter School
- Bloomfield Board of Education
- Boonton Board of Education
- East Orange Board of Education
- Edgewater Board of Education
- Essex County Vocation Board of Education
- Franklin Board of Education
- Hammonton Board of Education
- Harrison Board of Education
- Hudson County Vocational Board of Education
- Jersey City Board of Education
- Linden Board of Education
- Lodi Board of Education

- Metuchen Board of Education
- Monroe Township Board of Education
- Morris Board of Education
- North Bergen Board of Education
- Northern Valley Regional High School Board of Education
- Orange Board of Education
- Perth Amboy Board of Education
- Passaic County Technical School
- Plainfield Board of Education
- Pleasant Tech Academy
- Roselle Board of Education
- South Orange/Maplewood Board of Education
- Totowa Board of Education
- Union City Board of Education
- Warren County Special Services Board of Education
- Wayne Board of Education
- West New York Board of Education
- West New York Parking Authority
- Town of West New York
- West Orange Board of Education
- Westwood Board of Education
- Paterson Municipal Utilities Authority
- New Jersey Higher Education Student Assistance Authority
- Passaic Valley Water Commission
- Village of Airmont, New York

